

DIST/OFFICE	YR.	NUMBER	MO.	DAY	YEAR	J	N/S	O	R	H 23	S	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR.	NUMBER
1085/4	75	0227	06	13	75	3	550 530	5					8509			75 0 227-B

PLAINTIFFS

(from ~~an~~ single Circuit Judge)

DEFENDANTS

WILSON, Derek Lee

FAULKNER, Dave,
Sheriff, Tulsa County,
State of Oklahoma

CAUSE

28 USC 2241 et seq 42 USC 1983 28 USC 1651
Habeas Corpus
Civil Rights

ATTORNEYS

Fred P. Gilbert
1401 National Bank of Tulsa Bldg.
Tulsa, OK 74103
918-582-8201Marvin Spears
Asst. District Atty.
Tulsa County Courthouse
Tulsa, Ok. 74103Kay Karen Kennedy
Asst. Atty. General
State Capitol Bldg.,
Okla. City, Ok. 73105☐ CHECK
HERE
IF CASE WAS
FILED IN
FORMA
PAUPERIS

FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD

DATE MAILED

JS-5

7-1-75 4-1-78

JS-6

1-1-76 7-1-78

DATE	NR.	PROCEEDINGS
6-13-75	1.	Copy of Order transferring petition to U.S. Dist. Court, N.D. of OK, (WJH-J)v
6-13-75	2.	Petition for a Writ of Habeas Corpus, filed. v -summons issued.
6-16-75	3.	Order, filed, that the petition for writ of habeas corpus, Case No. 75-C-220, is reopened. Further ordered that the petition for writ of habeas corpus of Derek Lee Wilson, Case No. 75-C-227, is consol. w/75-C-220 for purposes of oral argument only. Ordered that Oral Argument is set for 6-19-75, Thurs., at 11:00 a.m. (AEB-J)v
6-17-75		US MARSHAL'S SERVICE RETURNED AND FILED ON DAVE FAULKNER, SHERIFF'S OFFICE, TULSA COUNTY COURT HOUSE, TULSA, OKLAHOMA. USM FEES OF \$3.00.mm
6-30-75	4.	Respondent's Brief, filed. mm <i>to be filed</i>
7-1-75	5.	Response of Attorney General, filed. g <i>to be filed</i>
7-10-75	6.	Memorandum of Petitioners, filed. mm
9-17-75	7.	Motion for Extension of Time of the Petitioners, filed. mm
9-17-75	8.	Order, filed, granting Petitioners a continuance of 15 days to file reply & supplemental briefs. (AEB-J) cps mld mm
10-21	9.	Reply Memorandum of Petitioners, filed. lm
10-22	MQ	It is ordered by the Court that respondents are given ten days from this date to file a responsive brief to petitioners' Reply Memorandum. (AEB-J)lm ltrs mld.
11-4	10	Appl. of State of Ok. for ext. of time to answer reply memorandum, filed. g
11-4	MO	Ordered that deft. State of Ok. is granted until 11-21-75 to answer petitioners' reply memorandum. (AEB-J)g <i>Handwritten</i>
11-20	11.	Suppl response of Atty Gen. in ans. to petitioners reply memo., fld. v
12-22-75	12.	Order, filed & entered, denying petition for writ of habeas corpus and dismissing the case. (AEB-J)g cpies mld. <i>to counsel</i>
12-23	13.	Notice of appeal by petitioner from order of 12/22/75, filed.rm copy to respondent and USCA
1-22-76	14.	Order, filed, granting certificate of probable cause.(AEB-J)rm copies to counsel and USCA
1-29		Original record on appeal (1 vol.) transmitted to USCA. rm
12-7	--	Letter from 10th Circuit that petition for cert. was filed with Supreme Court on 11/28/77 and assigned No. 77-764. rm
12-12	--	Orig. appeal record (1 vol) received from USCA.rm
3-8-78	15.	Mandate and Opinion of 10th Circuit, filed and spread of record, vacating Court's judg. of 12/22/75 and remanding cause for further proceedings in accordance w/opinion of 10th Circuit; Judges Hill, Seth and Barrett dissenting. rm
3-9	---	Letter from 10th Circuit that petition for writ of cert. was denied by Supreme Ct. on 2/27/78. rm <i>3-9 file to be filed</i>
3-14	16	Order, fld. It is ordered that further proceedings are continued for 90 days to permit the State Courts of OK to conduct. a hrg. & determine whether the Juvenile Ct. in Tulsa Co., State of OK, would have certified Derek Lee Wilson as an adult in 1970 for prosecution as charged in the Dist. Ct. of Tulsa Co., State of OK, in Cases No. CRF-70-1327, No. CRF-70-1560. No. CRF-70-1910, No. CRF-70-1915, & No. CRF-70-2012. (AEB-J) ho c/m

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
4-3 4-3	17 MO	Deft. mot. to dismiss due to mootness & memorandum brief, fld. ho It is ordered that the Pltf. is granted 10 days to file a responsive brief to Deft. mot. to dismiss. (AEB-J) ho c/m	
6-1-78		Suppl. to Mandate of USCA, filed: Petitioners Derek Lee Wilson, Billy Jay Killion & Delmar Eugene Hanley allowed appellate costs in sum of \$386.00, as applied for. g	
6-8	MO	Case set for disposition before Mag. Robert Rizley on 6-22-78 at 9:30 a.m. for pltfs' failure to respond to deft's mot. to dismiss. (RSR- Mag)k ntc mld	
6-16 6-21	18 MO:	Petitioners' response to suggestion of mootness, filed.k Case is stricken from disposition docket of 6-22-78. (RSR-Mag) b nts by phone	
6-26	19	Order, filed & entered, that the pet. for writ of habeas corpus is dismissed as moot, said relief having been granted by the State Courts of Okla., w/ appellate costs in the sum of \$386.00, as man- dated by the Tenth Circuit Court of Appeals. Further ordered that the dismissal is w/out prejudice to the filing of later petitions regarding expungement of records as to the State convictions, if necessary, after State remedies have been exhausted. (AEB-J)k cps mld	
6-30	20	Pltf. bill of costs, fld. in amt. of \$467.00 for both cases. (75-C-220) hrg. set for 7-13-78 before Clk at 10:00 a.m. ntc. by movant. ho	
7-14	--	Costs taxed in Case No. 75-C-220 for both cases in the amt. of \$457.00. fld. (JCS-Clk)ho	
9-29	21	Order, fld., the Ct. Clk. should disburse to Fred P. Gilbert a check in the amt. of \$457.00 for reimbursement to Petitioners of costs in the above captioned cases. IT IS SO ORDERED. (AEB-J)ho c/m	

PLAINTIFF		DEFENDANT	DOCKET NO. _____
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DATE	NR.	PROCEEDINGS	

PAGE ____ OF ____ PAGES